

REMARKS

Claims 1 through 11 and 13 through 38 are now pending in the application. Claims 1, 2 through 5, 14 through 18, 21, 23, 28, 32 and 33 have been amended and Claims 12 and 13 have been canceled. Bases for the amendments can be found throughout the application, drawings and claims as originally filed and as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

INTERVIEW SUMMARY

Applicant thanks the Examiner for the courtesies extended in a telephonic conference conducted the afternoon of Tuesday, August 16, 2005 in which the Examiner and the undersigned attorney were the sole participants. The above-amendment to Claim 1 was discussed, as was U.S. Patent No. 6,375,437 to Nolan. The Examiner and the undersigned attorney agreed that the above-amendment to Claim 1 placed it in condition for allowance.

CLAIM AMENDMENTS & ALLOWABLE SUBJECT MATTER

Applicant notes that Claims 2 through 5, 14 through 17, 32 and 33 used the phrase "air compressor apparatus" rather than the phrase "air compressor". Applicant has amended these claims to delete the word "apparatus" so as to avoid potential ambiguities.

The Examiner had objected to Claims 2 and 14 as being dependent upon a rejected base claim but noted that these claims would be allowable if re-written in an independent form that included all of the limitations of the base claim and any intervening claim. Applicant has amended Claims 2 and 14 into an independent form that includes the limitations of the base claim and any intervening claims and as such, Applicant respectfully submits that Claims 2 and 14 are in condition for allowance.

As Claims 3 through 5 depend from Claim 2, Applicant submits that these claims are in condition for allowance for the reasons set forth for Claim 2.

Applicant notes, too, that Claims 15 through 28 have been amended to depend from Claim 14 and thus should be in condition for allowance for the reasons set forth for Claim 14 above.

Concerning the amendment to Claim 1, Applicant notes that the '437 patent to Nolan does not teach or suggest the claimed air compressor arrangement. Rather, the air compressor of the '437 patent does not utilize a handle that is coupled to a first side of an air compressor body that adjoins the lateral sides of the air compressor nor does it appear to teach or suggest an arrangement where the air tank is located between the handle and the compressor when the air compressor is viewed from a lateral side. Accordingly, Applicant submits, and the Examiner has acknowledged, that Claim 1 is in condition for allowance.

Applicant notes that Claims 6 through 11 depend from Claim 1 and as such, should be in condition for allowance for the reasons set forth for Claim 1, above.

The Examiner has stated that Claims 29 through 38 have been allowed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 18 August 2005

By:



Michael D. Zalobsky
Reg. No. 45,512

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDZ/CR